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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/124,231	07/29/1998	NOBUHARU IINUMA	1046.1185/JD	6479

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EXAMINER

LANEAU, RONALD

ART UNIT PAPER NUMBER

2674

DATE MAILED: 10/24/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/124,231

Applicant(s)

IINUMA, NOBUHARU

Examiner

Ronald Laneau

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 March 0722.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All   b) ☐ Some \*   c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_                      6) ☐ Other: \_\_\_\_\_

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***Response to Amendment***

1. The amendment filed on 6/9/03 and the supplemental amendment filed on 7/22/03 have been entered. Claims 1-19 are still pending.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kanno (US 5,602,567) in view of Sparks et al (US 6,256,008).

As per claims 1, 2, 4, and 5, Kanno teaches a display apparatus comprising a monitor or a display screen 2 displaying data sent from a main apparatus, a display control 14, a memory RAM 12 or EPROM 11 wherein said monitor or display screen, said memory unit, and said display control unit are contained in a frame that is independent from a frame containing the main apparatus or irrespective of an operation mode of the main apparatus (see fig. 1). Kanno does not teach a screen protecting data in the memory but Sparks et al disclose a screen saver for computer including program memory area which is provided in internal or external memory of electronic computer to store display control program and further includes a call messaging system (see fig. 2).

It would have been obvious to one of ordinary skill in the art, at the time of the invention, to utilize the screensaver program disclosed in the Sparks et al into the system

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of Kanno because it would allow a user to enter a pre-programmed message that is animated on the screen during the screen savers operation (col. 1, lines 45-47 and 53-55).

As per claim 3, Kanno teaches a main apparatus (CPU) 1 which sends a signal from a communication between the computer and the display monitor (see col. 4, lines 43-45).

As per claims 6 and 7, Kanno teaches a display apparatus comprising a monitor (display screen) 2 displaying data sent from a main apparatus, a display control 14, a memory RAM 12 or EPROM 11 wherein said monitor or display screen, said memory unit, and said display control unit are contained in a frame that is independent from a frame containing the main apparatus (see fig. 1). Kanno does not teach a screen protecting data in the memory but Sparks et al disclose a screensaver program that can be stored in the memory system of Kanno (see abstract). The combination of Kanno and Sparks et al would certainly trigger the screen saver automatically to be displayed on the display screen if there is no activity from a user or no signal from the CPU to the display.

It would have been obvious to one of ordinary skill in the art, at the time of the invention, to utilize the screensaver software disclosed in the Sparks et al into the system of Kanno because it would allow the system to extend the usable life of display devices associated with the computers (col. 1, lines 45-47).

As per claim 8, Kanno teaches a main apparatus (CPU) 1 which sends a signal from a communication between the computer and the display monitor (see col. 4, lines 43-45).

As per claim 9, see rejection of claims 6 and 7.

As per claim 10, see rejection of claims 1 and 4.

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As per claim 11, see rejection of claim 5.

As per claims 12 and 13, see rejection of claim 2.

As per claim 14, see rejection of claim 4.

As per claims 15-19, the display control taught by Kanno is well capable of controlling the screen protecting image data to be displayed on the display screen based on the mode of the computer mainframe as claimed.

***Response to Arguments***

4. Applicant's arguments filed on 6/9/03 and 7/22/03 have been fully considered but they are not persuasive.

Applicant's arguments about Publication '635 are moot in view of the newly added reference in Sparks et al.

**5. Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

**or faxed to:**

(703) 308-9051, (for formal communications intended for entry)

**Or:**

(703) 305- 308-6606, (for informal or draft communications,  
please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,  
Arlington, VA., Sixth Floor (Receptionist).

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald Laneau whose telephone number is (703) 305-3973. The examiner can normally be reached on Monday-Friday from 7:30 am to 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe, can be reached on (703) 305-4709.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Ronald Laneau  
Examiner  
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rl  
October 17, 2003



RICHARD HJERPE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2500